



Linda S. Adams
*Secretary for
Environmental
Protection*

California Regional Water Quality Control Board

Central Valley Region

Karl E. Longley, Sc, P.E., Chair



Arnold
Schwarzenegger
Governor

Sacramento Main Office

11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114
Phone (916) 464-3291 • FAX (916) 464-4645
<http://www.waterboards.ca.gov/centralvalley>

27 August 2007

Thomas Skjelstad, General Manager
Donner Summit Public Utility District
Post Office Box 610
Soda Springs, CA 95728

CERTIFIED MAIL
7006 0810 0002 9651 4726

NOTICE OF PROPOSED SETTLEMENT

TENTATIVE ADMINISTRATIVE CIVIL LIABILITY ORDER FOR MANDATORY MINIMUM PENALTIES

IN THE MATTER OF DONNER SUMMIT PUBLIC UTILITY DISTRICT WASTEWATER TREATMENT PLANT NEVADA COUNTY

TO ALL CONCERNED PERSONS AND AGENCIES:

The Executive Officer of the Regional Water Board has proposed to settle Administrative Civil Liability (ACL) Complaint No. R5-2007-0509, which was issued in the matter of Donner Summit Public Utility District (Discharger) on 2 April 2007. The terms of the proposed settlement are set forth in the enclosed tentative ACL Order. The Discharger has expressed its desire to settle the matter and willingness to waive its right to a hearing on the ACL Complaint.

The tentative ACL Order proposes to assess mandatory minimum penalties (MMPs) in the amount of \$204,000. The tentative ACL Order provides that, in lieu of paying the MMPs, that the Discharger may apply the penalty towards its recently completed compliance project to upgrade its wastewater treatment plant.

A Notice of Proposed Settlement (Notice) is also enclosed. The Discharger must publish the Notice in a local newspaper for one (1) day commencing no later than **5 September 2007**. The expense of publication is to be paid by the Discharger. Additionally, the Discharger must by **5 September 2007** post one copy of the Notice at each of the following locations: (i) at the nearest city hall or county courthouse, (ii) at the post office nearest to the Facility (if allowed), and (iii) at the public entrance to the Facility. Proof of posting, using the enclosed form, and proof of publication, consisting of an affidavit from the newspaper along with a copy of the published notice, shall be filed with this office at the above address by **19 September 2007**. Finally, the Discharger shall submit a signed copy of the Waiver of the Right to a Hearing by **5 October 2007**.

The public is invited to review and comment on the proposed settlement contained in the tentative ACL Order prior to the Executive Officer's determination about whether to approve the settlement. The tentative ACL Order and related documents are publicly available on the Regional Water Board's website at <http://www.waterboards.ca.gov/centralvalley/tentative> or by contacting Spencer Joplin at (916) 464-4660. The public review period will **close at 5:00 PM on 5 October 2007**. Written comments must be received by the Regional Water Board by the close of the public review period.

If you have any questions, please contact Spencer Joplin at (916) 464-4660 or sjoplin@waterboards.ca.gov.

PATRICIA LEARY
Senior Engineer
NPDES Compliance and Enforcement Unit

Enclosures

cc: Regional Water Board Members, Rancho Cordova
Mr. Ken Greenberg, U.S. Environmental Protection Agency, Region IX, San Francisco
Ms. Lisa Brown, CalEPA, Sacramento
Mr. Reed Sato, State Water Resources Control Board, Sacramento
Ms. Michele M. DeCristoforo, State Water Resources Control Board, Sacramento
Mr. Phil Isorena, State Water Resources Control Board, Sacramento
Ms. Carol Oz, Department of Fish and Game, Rancho Cordova
Nevada County Environmental Health Department, Nevada City
Mr. Bill Jennings, California Sportfishing Protection Alliance, Stockton
Mr. Thomas D. Hendrey, Walnut Creek

APPROVED
_____ Staff
_____ Senior